

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Prisons Department - Case No.207/1/2006-2007-CD/UC/M-3 - Death of Remand Prisoner Tokala Shankar Rao on 04-07-2006 while under going medical treatment in Government Hospital, Guntur -NHRC recommended to pay a sum of Rs.50,000/- as monetary relief to the next kin of the deceased - Sanction accorded - Orders - Issued.

HOME (PRI.C.HRC) DEPARTMENT

G.O.RT.No.187

Dated: 11 -02-2011.

Read the following:-

1. From the Joint Registrar(Law),National Human Rights Commission ,New Delhi Show Cause Notice dated 01-09-2010 in case No.207/1/2006-2007-CD/SCN-M3.
2. From the Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad letter No.SB3/808/2006, dated 25-10-2010 addressed to NHRC.
3. From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, in Case No. 207/1/2006-2007-CD, dated 23-12-2010.

ORDER:

In the reference first read above, the Joint Registrar (Law), National Human Rights Commission, New Delhi has issued Show Cause Notice to the Chief Secretary to Government, under section 18 (c) of the Protection of Human Rights Act, 1993, as to why interim relief should not be recommended to be paid to the next kin of the deceased prisoner, Tokala Shanker Rao, since the deceased has self inflicted injuries with a blade and the Doctors/Jail authorities have failed to watch the movement of the prisoner.

2. In the reference second read above, the Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad vide letter dated 25-10-2010 furnished the report to NHRC stating that the deceased prisoner was examined on 18-06-2006 and was sent to Government General Hospital, Guntur. He was found suffering from HIV +ve. On 27.06.2006 the authorities at Government Hospital, Guntur stated that the prisoner injured himself with a blade over the forearm and lateral aspect of thighs and multiple cuts were seen. He was given treatment till 04-07-2006. On 04-07-2006, he was found suffering from breathlessness, for which he was provided treatment at 7.15pm. He died due to cardio respiratory failure. There is no negligence on the part of prison authorities in providing treatment. However, it was left to the discretion of the Government/National Human Rights Commission to recommend for payment of ex-gratia.

3. In the reference third read above, the National Human Rights Commission while considering the above reply has stated that, the deceased was successful in procuring the blade and inflicting injuries on the body while in the custody of the state. The Doctors/Jail authorities have failed to protect the life of deceased. Hence, the Hon'ble Commission has recommended for payment of interim relief of Rs.50,000/- (Rupees fifty thousand only) to the legal heir of the deceased Prisoner, Tokala Shanker Rao died on 04-07-2006 at Government General Hospital, Guntur and furnish proof of payment in four weeks.

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4. The Government after careful examination, hereby accord sanction for an amount of Rs.50,000/- (Rupees fifty thousand only) towards payment of compensation to the legal heir of the deceased Prisoner, Tokala Shanker Rao, died on 04-07-2006 in Government General Hospital, Guntur, as directed by the National Human Rights Commission, New Delhi.

5. The amount sanctioned in para (3) above, shall be debited to the Head of Account "MH 8000-Contingency Fund- 2056 Jails-MH 101 Jails-SH (04) Jails-500 Other Charges-501 Compensation(Charged)", and shall initially be met by way of an advance from the Contingency Fund, orders regarding which will be issued by the Finance (BG) Department, separately.

6. The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, shall send necessary proposals for obtaining Supplementary Grant at an appropriate time during the current financial year 2010-11, towards recoupment of advance from the Contingency Fund.

7. This order issues with the concurrence of the Finance (Exp.Home) Department, vide their U.O.No.614/35/A2/Exp.Home/2011, dated 03/02/2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.P.ACHARYA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

Copy to:

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, (A&E), A.P., Hyderabad.

The pay & Accounts Officer, Hyderabad.

The District Treasury Officer, Warangal District

The Collector & District Magistrate, Warangal District.

The Assistant Registrar (Law), National Human Rights Commission,
Faridkot House, Copernicus Marg, New Delhi.

The General Administration (HRC) Department.

The Finance (Exp.H&L) Department.

The Finance (BG) Department.

SF/SC.

//FORWARDED:::BY ORDER//

SECTION OFFICER